

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

CARL EDWARD FISHER,)	
)	
Plaintiff,)	
)	
vs.)	Case No.: <u>3:11-cv-01071-JPG-PMF</u>
)	
JOHN MONET, <i>et al.</i>,)	
)	
Defendants.)	

REPORT AND RECOMMENDATION

FRAZIER, Magistrate Judge:

This case comes before the Court for case management purposes. On September 5, 2012, the Court advised the *pro se* Plaintiff as follows:

... Plaintiff is **ADVISED** that he is under a continuing obligation to keep the Clerk of Court and each opposing party informed of any change in his address; the Court will not independently investigate his whereabouts. This shall be done in writing and not later than 7 days after a transfer or other change in address occurs. Failure to comply with this order will cause a delay in the transmission of court documents and may result in dismissal of this action for want of prosecution. *See* FED. R. CIV. P. 41(b).

Doc. 8 at 5. Plaintiff was again advised of this same requirement in the Court's (Doc. 18) Scheduling and Discovery Order. Despite these repeated warnings, the docket sheet in this case reflects that Plaintiff has failed to advise the Court as to an updated mailing address. *See* Docs. 11, 19-20, 23 (mailings from Court to Plaintiff returned as undeliverable).

Most recently, the Court filed an order to show cause "as to why this case should not be dismissed for failure to prosecute." *See* Doc. 24. Plaintiff did not respond to the order to show cause. The record reflects that Plaintiff has not advised the Court as to updated address for several months. *See* Doc. 11 (mail returned undeliverable on October 3, 2012). Accordingly, this

case should be dismissed pursuant to Rule 41(b) of the Federal Rules of Civil Procedure for failure to prosecute.

RECOMMENDATION

For the forgoing reasons, it is recommended that this case be dismissed for want of prosecution pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. If this recommendation is adopted in its entirety, all pending motions may be denied as moot and this case can be closed.

SO RECOMMENDED.

DATED: January 28, 2013.

s/ Philip M. Frazier
PHILIP M. FRAZIER
UNITED STATES MAGISTRATE JUDGE